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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

JOHN MEZZALINGUA ASSOCIATES, INC., (d/b/a PPC) a Delaware corporation,	**Case No:** _____
Plaintiff,	# 7,118,416
vs.	**COMPLAINT**
PACE ELECTRONICS, INC. (d/b/a PACE INTERNATIONAL), a Minnesota corporation,	**JURY DEMANDED**
Defendant.	

John Mezzalingua Associates, Inc., d/b/a PPC ("PPC"), hereby complains against defendant Pace Electronics, Inc. ("Pace"), and alleges as follows:

I. THE PARTIES

1. PPC is a corporation organized and existing under the laws of the State of Delaware, and has its principal place of business at 6176 Molloy Road, East Syracuse, New York, 13057.

2. Upon information and belief, Pace is a corporation organized and existing under the laws of the State of Minnesota and has its principal place of business at 3582 Technology Drive NW, Rochester, Minnesota, 55901.

II. JURISDICTION AND VENUE

3. This is a civil action by PPC for patent infringement committed by Pace, which arises under the patent laws of the United States, including 35 U.S.C. §§ 271, 281, 283, 284, and 285.

4. This is a civil action for misappropriation of trade dress under Sections 34, 35, 36 and 43 of the Lanham Act, Title 15 U.S.C. §§ 1116, 1117, 1118 and 1125.

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EXHIBIT A

US007118416B2

(12) **United States Patent**
Montena et al.

(10) **Patent No.: US 7,118,416 B2**
(45) **Date of Patent: Oct. 10, 2006**

(54) **CABLE CONNECTOR WITH ELASTOMERIC BAND**

(75) Inventors: **Noah Montena**, Syracuse, NY (US); **Michael T. Fox**, Syracuse, NY (US)

(73) Assignee: **John Mezzalingua Associates, Inc.**, East Syracuse, NY (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **10/781,376**

(22) Filed: **Feb. 18, 2004**

(65) **Prior Publication Data**

US 2005/0181652 A1 Aug. 18, 2005

(51) **Int. Cl.**
H01R 9/05 (2006.01)

(52) **U.S. Cl.** **439/584**

(58) **Field of Classification Search** 439/578, 439/584, 583, 274, 275, 287, 582
See application file for complete search history.

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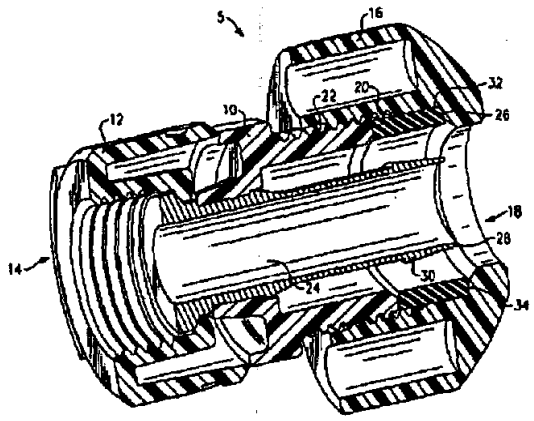
Primary Examiner—Phuong Dinh
(74) *Attorney, Agent, or Firm*—Wall Marjama & Bilinski LLP

(57) **ABSTRACT**

A connector for a coaxial cable includes a connector body and a fastening member for connecting said connector to an object such as an equipment port. A post is fitted at least partially inside the connector body for receiving a prepared end of the cable. A compression member is fitted to a back of the connector body. An elastomeric band is fitted inside a cavity formed at least in part by the compression member. Axial movement of the compression member onto said connector body causes the elastomeric band to seal an outer layer of the cable to the connector to isolate the inside of the connector from environmental influences.

21 Claims, 7 Drawing Sheets



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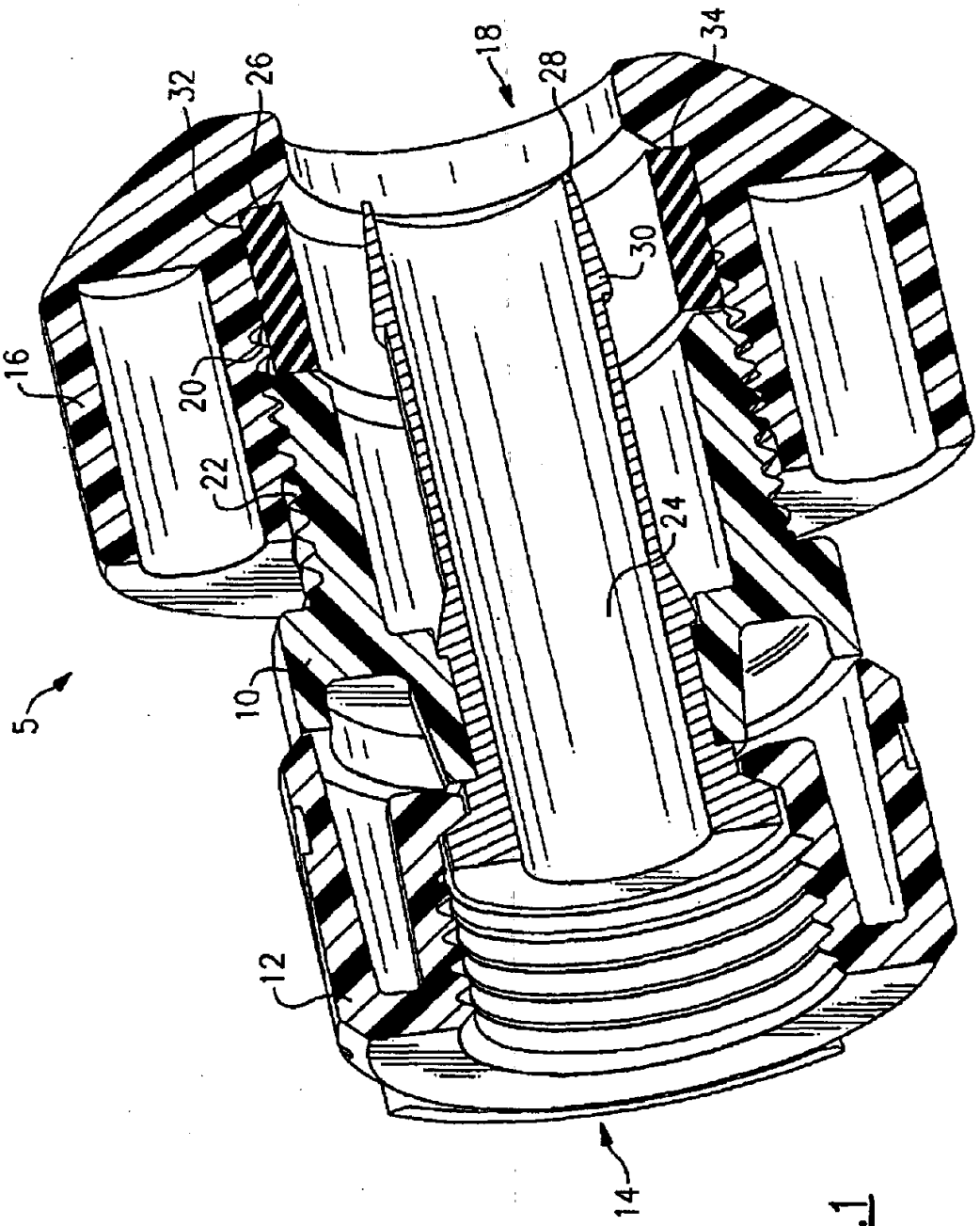

FIG. 1

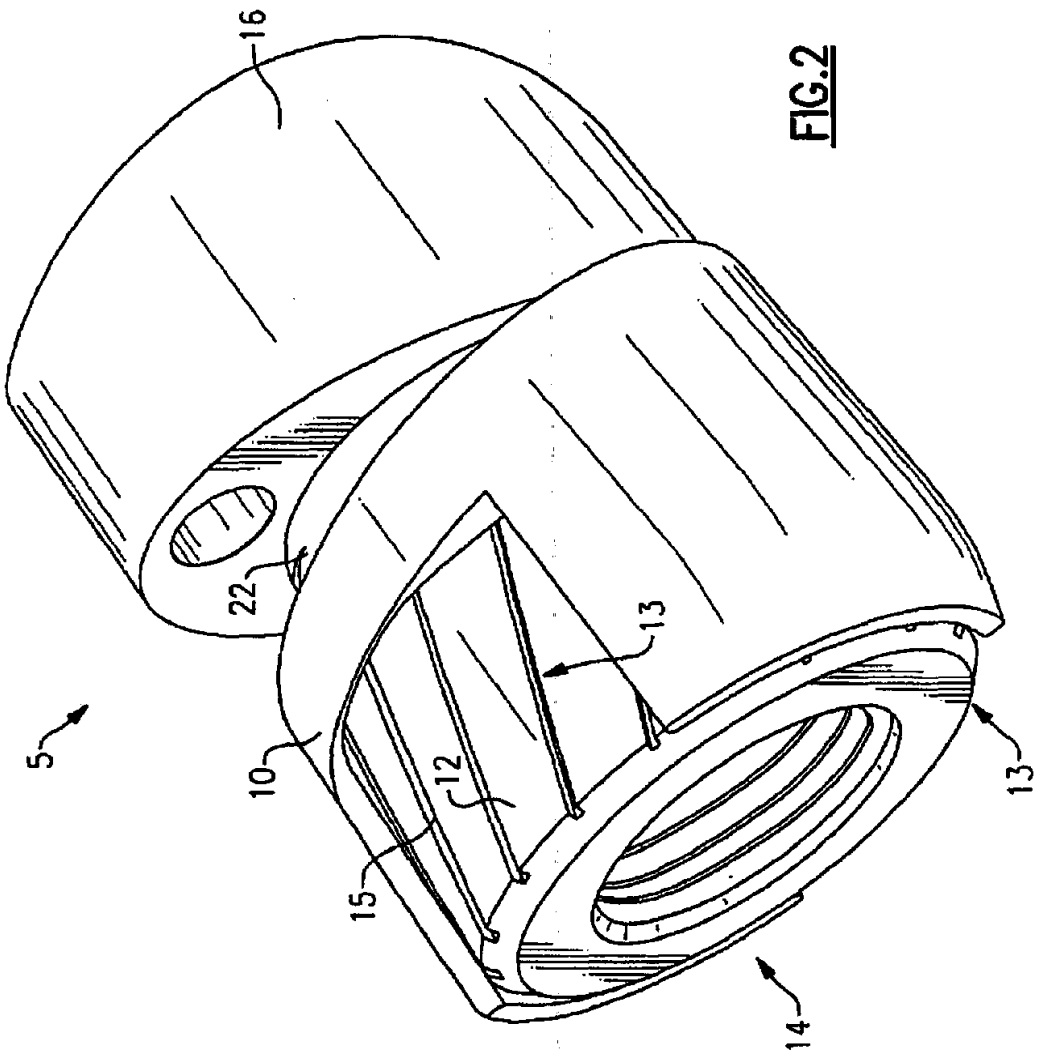

FIG.2

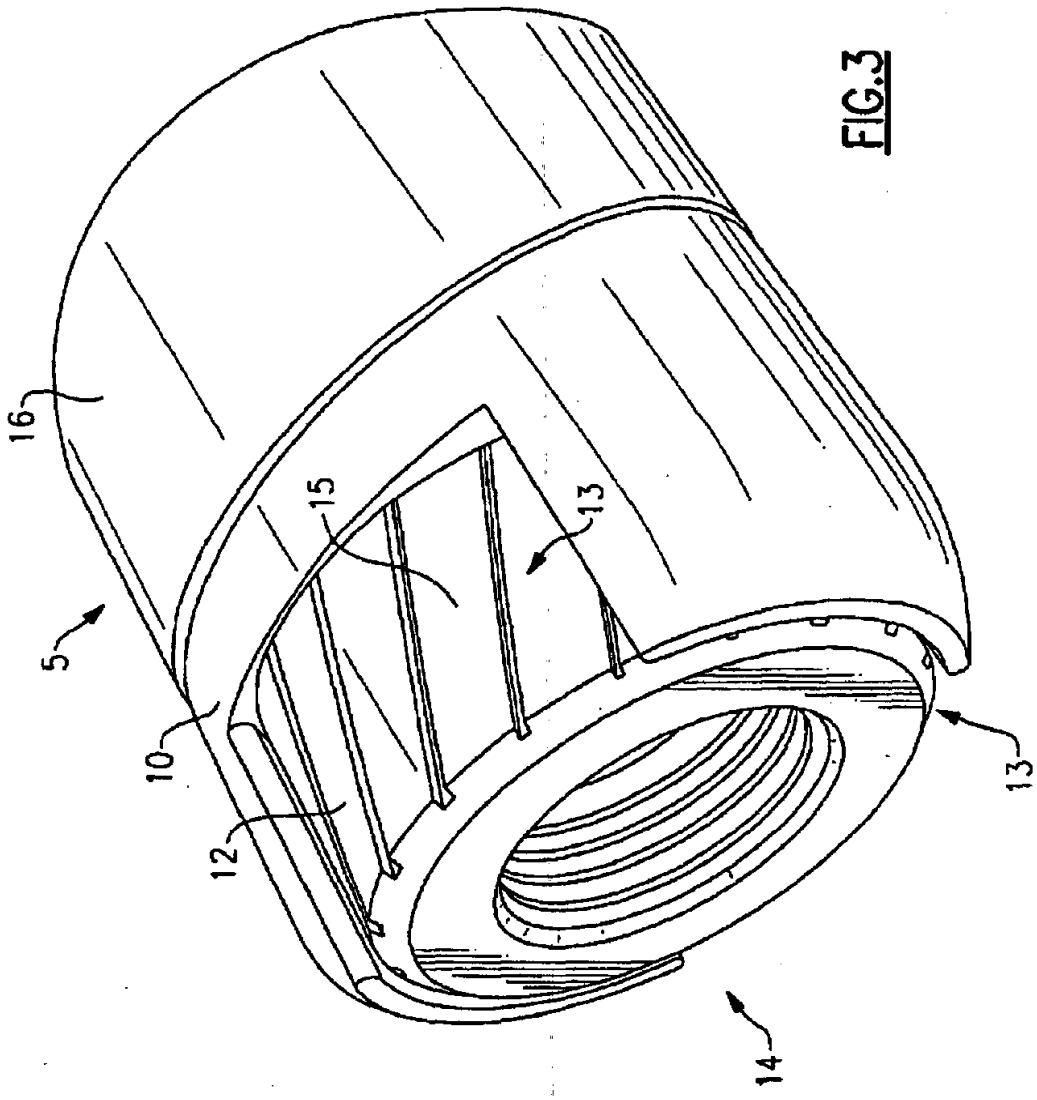

FIG.3

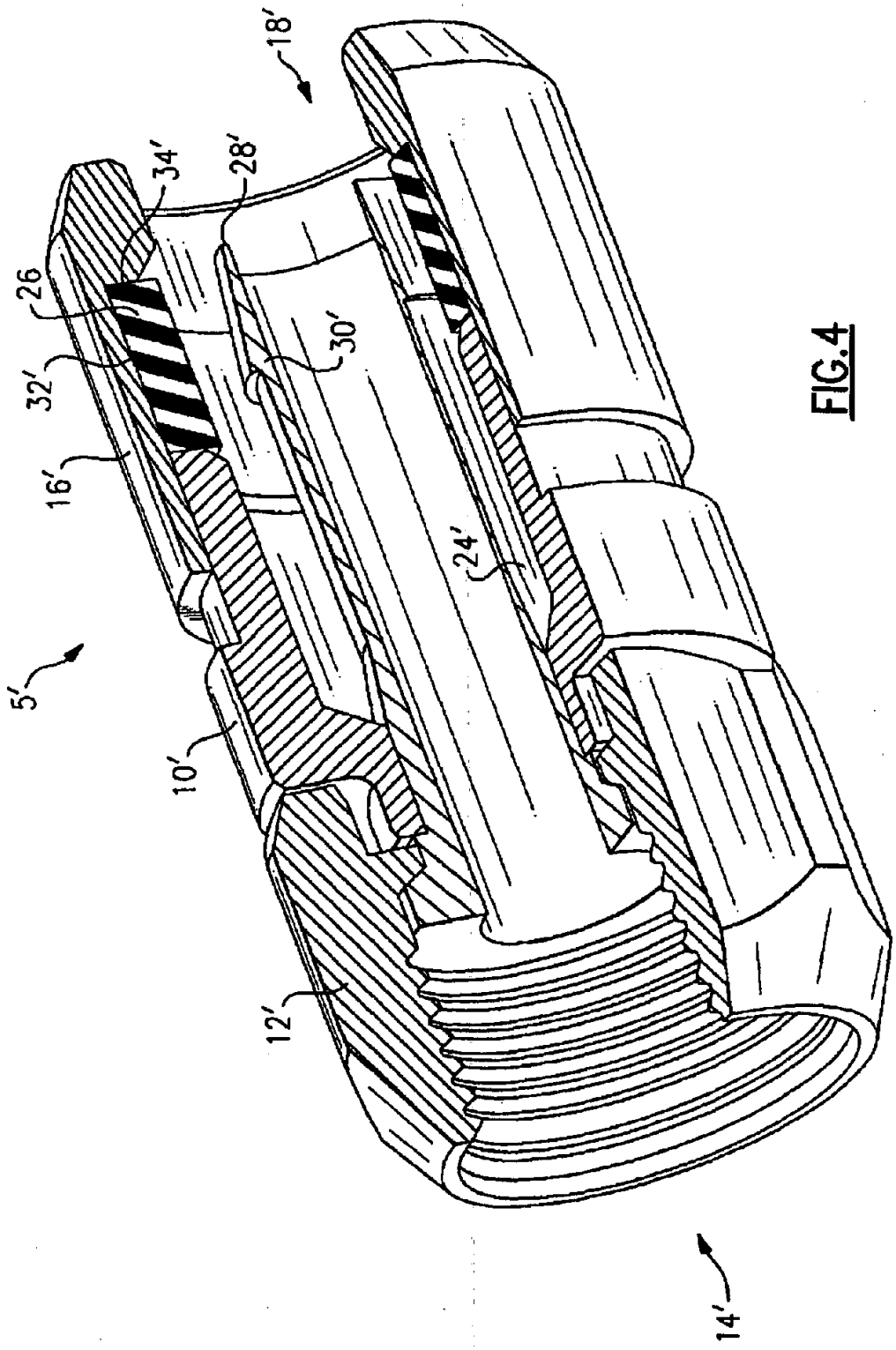

FIG.4

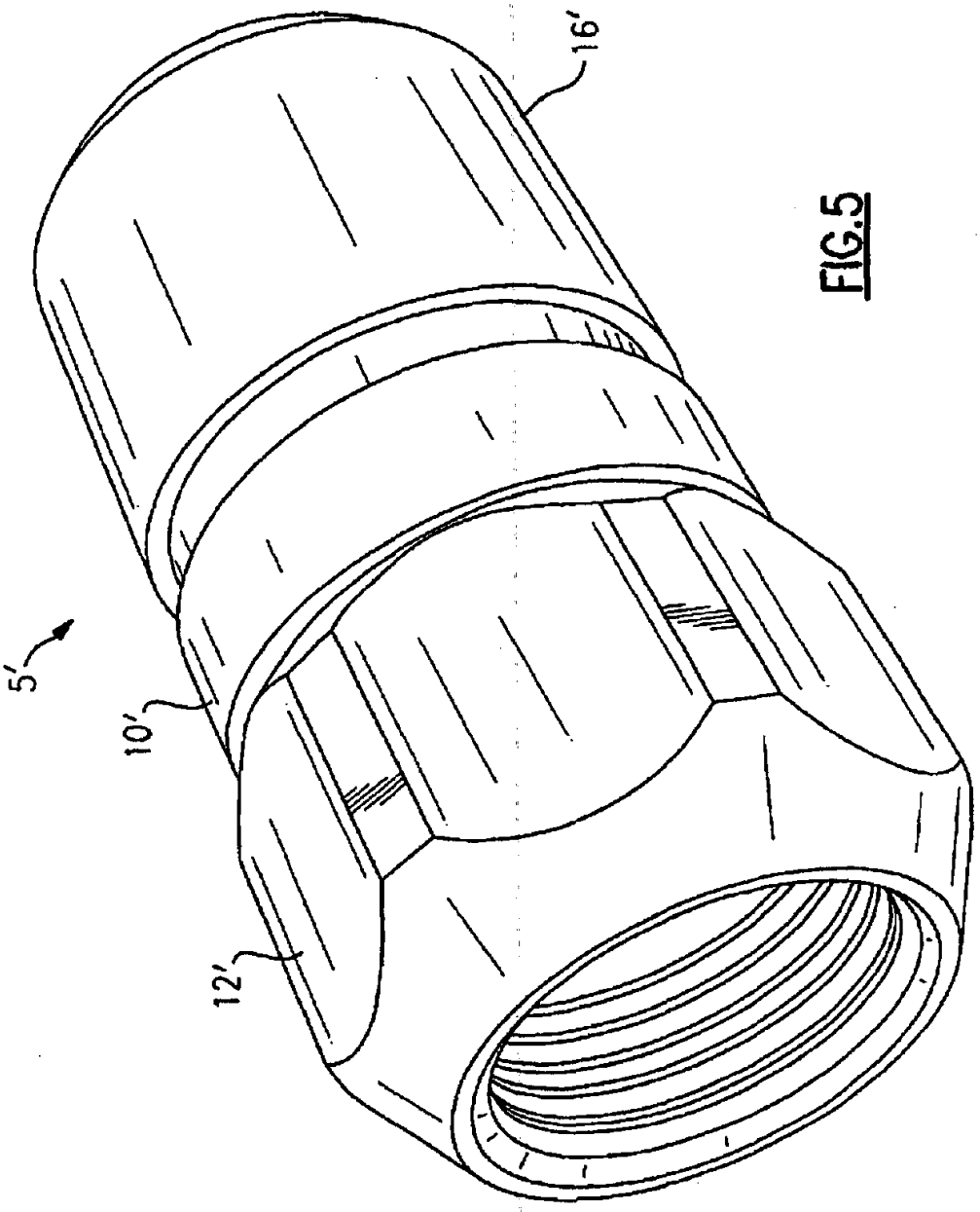

FIG.5

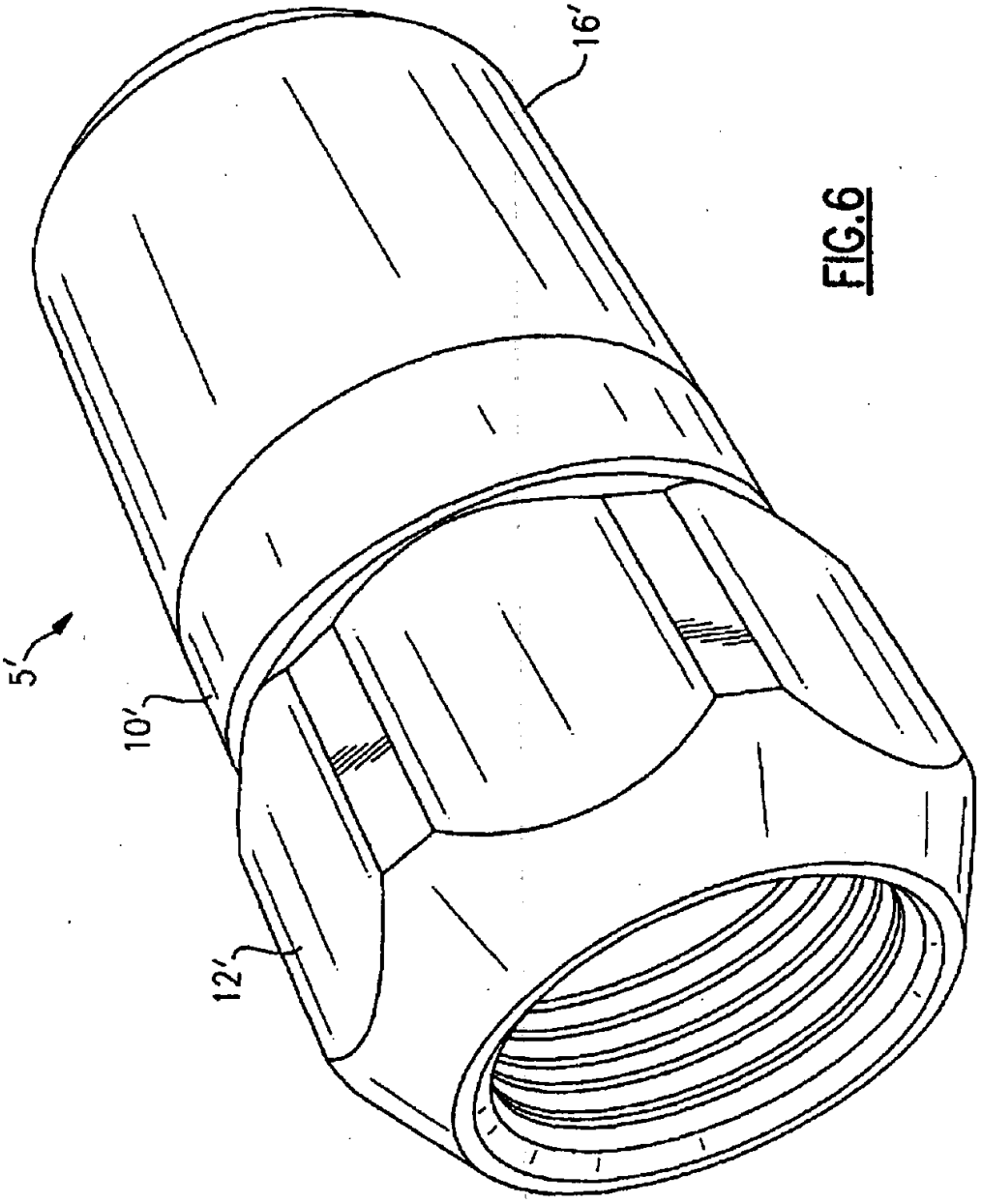

FIG.6

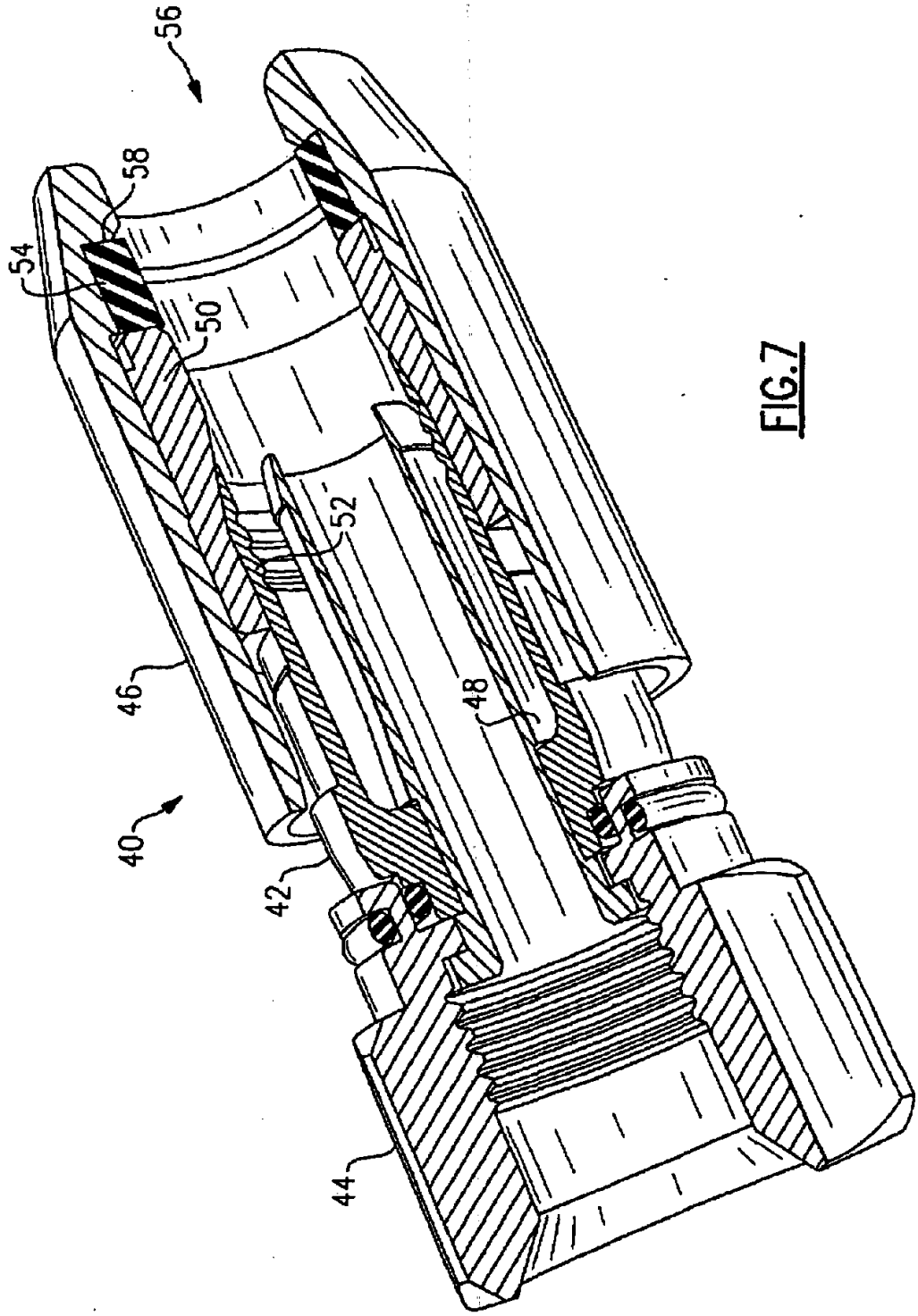

FIG.7

5. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1338(a), § 1338(b) and 15 U.S.C. § 1121.

6. PPC further alleges on information and belief, that Pace has sold or contracted for the sale of infringing goods to its customers throughout the world, including customers within the State of Minnesota. These actions by Pace relate to and, in part, give rise to the claims asserted herein by PPC, and have resulted in injury to PPC.

7. Pace is subject to the personal jurisdiction of this Court because, on information and belief, Pace is a Minnesota corporation and has its principal place of business in the State of Minnesota.

8. Pursuant to 28 U.S.C. § 1391(c), Pace is deemed to reside in this judicial district for purposes of venue.

9. Venue is proper in this judicial district pursuant to, at least, 28 U.S.C. § 1391(b), § 1391(c) and 28 U.S.C. § 1400(b).

III. FACTUAL BACKGROUND

10. PPC is an innovator and world leader in telecommunications connector technology.

11. One of PPC's technological innovations is protected by United States Patent No. 7,118,416 ("'416 patent") directed to "cable connector with elastomeric band." A true and correct copy of the '416 patent is attached hereto as Exhibit A.

12. The '416 patent issued on October 10, 2006 to inventors Noah Montena and Michael T. Fox.

13. PPC is the owner by assignment of the '416 patent.

14. PPC has not licensed Pace to practice the '416 patent and Pace has no right or authority to license others to practice the '416 patent.

15. PPC is a world leader in telecommunication connecter technology. PPC is, and has been, extensively engaged in the business of designing, manufacturing and nationwide

CABLE CONNECTOR WITH ELASTOMERIC BAND

FIELD OF THE INVENTION

This invention relates generally to the field of cable connectors for CATV systems, and more particularly to a cable connector with an elastomeric band which seals the cable connector to a cable.

BACKGROUND OF THE INVENTION

A problem with cable connections exposed to the weather is that the connections are susceptible to moisture entering the connection whenever the cable connector is improperly or inadequately connected to the cable. Many attempts have been made to ensure that cable connections are sealed against moisture etc. from the environment. Many of the attempts require using a connector body made of two or more components in order to contain an adequate seal, thus increasing the complexity of the cable connector.

SUMMARY OF THE INVENTION

Briefly stated, a connector for a coaxial cable includes a connector body and a fastening member for connecting said connector to an object such as an equipment port. A post is fitted at least partially inside the connector body for receiving a prepared end of the cable. A compression member is fitted to a back of the connector body. An elastomeric band is fitted inside a cavity formed at least in part by the compression member. Axial movement of the compression member onto said connector body causes the elastomeric band to seal an outer layer of the cable to the connector to isolate the inside of the connector from environmental influences.

According to an embodiment of the invention, a connector for a coaxial cable includes a connector body; a fastening member for connecting the connector to an object; a post fitted at least partially inside the connector body for receiving a prepared end of the cable; a compression member fitted to the connector body; and an elastomeric band fitted inside a cavity formed at least in part by the compression member; wherein axial movement of the compression member onto the connector body causes the elastomeric band to deform and seal an outer layer of the cable to the connector to isolate an inside of the connector from environmental influences.

According to an embodiment of the invention, a connector for a coaxial cable includes a connector body; first connection means for connecting the connector to an object; and second connection means for connecting a prepared end of the cable to the connector; wherein the second connection means includes an elastomeric band for sealing an outer layer of the cable to the connector to isolate an inside of the connector from environmental influences.

According to an embodiment of the invention, a method of constructing a connector for a coaxial cable includes the steps of providing a connector body; providing a fastening member for fastening the connector body to an object; providing a compression member; fitting an elastomeric band into a cavity formed at least in part by the compression member; inserting a prepared end of the cable through the compression member and the elastomeric band; and fitting the prepared cable end and the compression member to the connector body, wherein axial movement of the compression member onto the connector body causes the elastomeric band to deform and seal an outer layer of the cable to the connector to isolate an inside of the connector from environmental influences.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** shows a partial cutaway perspective view of a connector according to an embodiment of the invention.

FIG. **2** shows a perspective view of an embodiment of the invention, prior to installation, where the connector components are of plastic.

FIG. **3** shows a perspective view of an embodiment of the invention, after installation, where the connector components are of plastic.

FIG. **4** shows a partial cutaway perspective view of an embodiment of the invention where the connector components are of metal.

FIG. **5** shows a perspective view of an embodiment of the invention, prior to installation, where the connector components are of metal.

FIG. **6** shows a perspective view of an embodiment of the invention, after installation, where the connector components are of metal.

FIG. **7** shows a partial cutaway perspective view of an embodiment of the invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring to FIG. **1**, a connector **5** includes a connector body **10** with a nut **12** on a front end **14** of body **10**. Nut **12** is shown in this embodiment as a nut for connecting connector **5** to an F-port, but the type of connection is not an essential part of the present invention. A compression nut **16** is connected to body **10** at a back end **18** of body **10** via a plurality of threads **20** on compression nut **16** engaging a plurality of threads **22** on body **10**. A post **24** is contained within connector **5**. An elastomeric band **26** is disposed within a cavity **32** formed in part by a shoulder **34** of compression nut **16**. "Band" is used in the sense of a flat strip, i.e., the width is greater than the thickness. (The "length" would be the circumference of the band, with the width being in the radial direction.) An O-ring is not considered a band and would not work as a replacement for the band of the present invention. Connector **5** is intended to be used with a conventional coaxial cable (not shown) which consists of an inner or center conductor surrounded by a dielectric material which in turn is surrounded by a braided ground return sheath. A cable jacket then surrounds the sheath. As a coaxial cable end (not shown) is inserted into back end **18** of connector **5**, an end **28** of post **24** fits between the sheath and the dielectric, so that the dielectric and center conductor fit inside post **24**, with the sheath and cable jacket between post **24** and connector body **10**. In this embodiment, post **24** is of metal with connector body **10**, nut **12**, and compression nut **16** being of plastic. The electrical ground path thus goes from the cable sheath to post **24** to a ground portion (not shown) of the terminal that connector **5** is screwed into. Post **24** can also be of plastic when not needed to conduct an electrical path.

Post **24** preferably includes a barbed portion **30**, and as compression nut **16** is tightened onto body **10**, elastomeric band **26** is forced to deform around the cable jacket, resulting in decreased length and increased thickness. In it's "open" position, i.e., when compression nut **16** is not tightened onto body **10**, band **26** has enough clearance to allow the cable to pass through easily. By tightening com-

pression nut **16** onto body **10**, which applies a compressive force to elastomeric band **26**, band **26** is squeezed inward onto the cable, thus creating a weather seal, as well as providing a great deal of normal force between elastomeric band **26** and the cable sheathing, thus providing retention force to the cable/connector combination. In addition to the tractive forces created by surface friction, the coaction of barbed portion **30** under the cable sheathing along with the inward pressure of elastomeric band **26** cause the cable sheath to conform closely to the profile of barbed portion **30**, thus creating a mechanical interlock.

This type of connector easily accommodates a broad range of cable diameters within a given cable family because of the flowable nature of elastomeric band **26** which conforms to the surface irregularities of the cable. Elastomers are also "sticky" which enables elastomeric band **26** to create a better seal than otherwise. Types of connectors with which elastomeric band **26** can be used include tool-compressed, standard compression styles, hand tightened styles, etc. In addition, elastomeric band **26** could be added to an existing connector design as a redundant means of sealing.

Because the sealing and gripping are done by a small, contained element of the connector, the exterior of the connector can be made of whatever material suits a particular application. For instance, for outdoor applications the exterior of the connector can be entirely of brass for increased customer appeal, while a hand-tightened all plastic version with only a metal post **24** could easily be injection molded for the indoor consumer market. Outdoor versions of connector **5** can include a brass nut **12**, a brass or stainless steel post **24**, a brass or die-cast zinc body **10**, and a brass or stainless steel compression nut **16**.

FIG. **2** shows a plastic version of the embodiment of FIG. **1** prior to installation, while FIG. **3** shows the embodiment of FIG. **2** after the embodiment has been installed on a cable (not shown). In the plastic version, all parts are preferably plastic except for post **24**. A pair of reveals **13** permit easy thumb and finger access to a knurled portion **15** of plastic nut **12**.

Referring to FIG. **4**, another embodiment of the present invention is shown. A connector **5'** includes a connector body **10'** with a nut **12'** on a front end **14'** of body **10'**. Nut **12'** is shown in this embodiment as a nut for connecting connector **5'** to an F-port, but the type of connection is not an essential part of the present invention. A compression fitting **16'** is connected to body **10'** at a back end **18'** of body **10'** via a sleeve **21** on compression fitting **16'** engaging a portion **23** of body **10'**. A post **24'** is contained within connector **5'**. An elastomeric band **26** is disposed within a cavity **32'** formed in part by a shoulder **34'** of compression fitting **16'**. As the coaxial cable end (not shown) is inserted into back end **18'** of connector **5'**, an end **28'** of post **24'** fits between the cable sheath and the cable dielectric, so that the dielectric and center conductor fit inside post **24'**, with the sheath and cable jacket between post **24'** and connector body **10'**.

Post **24'** preferably includes a barbed portion **30'**, and as compression fitting **16'** is pushed onto body **10'**, elastomeric band **26** is forced to deform around the cable jacket, resulting in decreased length and increased thickness. In it's "open" position, i.e., when compression fitting **16'** is not tightened onto body **10'**, band **26** has enough clearance to allow the cable to pass through easily. By axial compression, band **26** is squeezed inward onto the cable, thus creating a weather seal, as well as providing a great deal of normal force between elastomeric band **26** and the cable sheathing, thus providing retention force to the cable/connector combination. In addition to the tractive forces created by surface friction, the coaction of barbed portion **30'** under the cable sheathing along with the inward pressure of elastomeric band **26** cause the cable sheath to conform closely to the profile of barbed portion **30'**, thus creating a mechanical interlock.

FIG. **5** shows an external view of a metal version of FIG. **4** prior to installation, while FIG. **6** shows the embodiment of FIG. **5** after the embodiment has been installed on a cable (not shown). The metal version, intended primarily for outdoor use, can have a brass nut **12'**, a brass or stainless steel post **24'**, a brass or diecast zinc body **10'**, and a brass or stainless steel compression fitting **16'**.

Referring to FIG. **7**, an embodiment is shown in which the elastomeric band of the present invention is used in addition to the seal already present in a cable connector. A cable connector **40** includes a connector body **42** to which a nut **44** is connected. Nut **44** attaches cable connector **40** to a piece of equipment or another connector. A post **48**, extending inside body **42**, is connected to both nut **44** and body **42**. A driving member **50** overlaps a sealing portion **52** of body **42**. A compression member **46** fits over both driving member **50** and a part of body **42**. In normal operation, a prepared cable end (not shown) is inserted into connector **40** through a back end **56**. When compression member is forced axially towards a front end of connector **40**, driving member **50** forces sealing portion **52** radially against the cable, thus providing a seal against the outside environment. In this embodiment, an elastomeric band **54** fitted into a cavity **58** formed within compression member **46** and an end of driving member **50** provides extra sealing against the cable by axial compression. When band **54** is squeezed inward onto the cable, it creates a weather seal, as well as a great deal of normal force between elastomeric band **54** and the cable sheathing, thus providing retention force to the cable/connector combination.

Examples of elastomers include any thermoplastic elastomer (TPE), silicone rubber, or urethane. The key properties are resilience, resistance to creep, resistance to compression set, and the creation of a good grip with the cable jacket. The length of band **26**, i.e., in the axial direction of connector **5**, can be equal to the length of the cavity in which it is seated. The important consideration is that any pre-compression done to band **26** must not affect insertion of the cable end, i.e., the thickness of elastomeric ring **26** cannot become so large during pre-compression as to impede insertion of the cable end.

While the present invention has been described with reference to a particular preferred embodiment and the accompanying drawings, it will be understood by those skilled in the art that the invention is not limited to the preferred embodiment and that various modifications and the like could be made thereto without departing from the scope of the invention as defined in the following claims.

What is claimed is:

1. A connector for a coaxial cable, comprising:

a connector body;

a fastening member for connecting said connector to an object;

a post including a barbed portion, said post fitted at least partially inside said connector body for receiving a prepared end of said cable;

a compression member fitted to said connector body radially outward of the barbed portion of the post; and

an elastomeric band fitted inside a cavity formed at least in part by said compression member;

wherein axial movement of said compression member onto said connector body causes said elastomeric band to deform and seal an outer layer of said cable to said connector to isolate an inside of said connector from environmental influences.

2. A connector according to claim 1, wherein said connector body, said compression member, and said fastening member are of plastic, and said post is of an electrically conductive material.

3. A connector according to claim 1, wherein said connector body, said compression member, said fastening member, and said post are all of metal.

4. A connector for a coaxial cable, comprising: a connector body;

first connection means for connecting said connector to an object; and

second connection means for connecting a prepared end of said cable to said connector;

wherein said second connection means includes a post having a barbed portion, an elastomeric band radially outward of said barbed portion, said band forming a seal against an outer layer of said cable.

5. A connector according to claim 4, wherein said second connection means includes means for axially moving a compression member onto said connector body, and said elastomeric band is fitted inside a cavity formed at least in part by said compression member.

6. A connector according to claim 4, wherein said connector body, said first connection means, and said second connection means are of plastic, and said receiving means is of an electrically conductive material.

7. A connector according to claim 4, wherein said connector body, said first connection means, said second connection means, and said receiving means are all of metal.

8. A method of constructing a connector for a coaxial cable, comprising the steps of:

providing a connector body;

fitting a metal post having a barbed portion at least partially inside said connector body,

providing a fastening member for fastening said connector body to an object;

providing a compression member;

fitting an elastomeric band into a cavity formed at least in part by said compression member;

inserting a prepared end of said cable through said compression member and said elastomeric band; and

fitting said prepared cable end and said compression member to said connector body, wherein axial movement of said compression member onto said connector body causes said elastomeric band to deform and seal against an outer layer of said cable radially outward of the barbed portion of the post.

9. A method according to claim 8, wherein said connector body, said fastening member and said compression member are of plastic.

10. A method according to claim 8, wherein said connector body, said fastening member and said compression member are of metal.

11. A method according to claim 8, wherein said step of fitting said prepared cable end and said compression member to said connector body includes the step of fitting a ground sheath of said cable between said connector body and a metal post, and fitting a center conductor an dielectric portion of said cable inside said metal post.

12. A coaxial cable connector, comprising:

a connector body having a first end and a second end, said second end including external threads;

a post having a first end, a second end and a barbed portion, said post fitting at least partially within said connector body and said second end of the post adapted for insertion into an end of a coaxial cable;

a fastening member operatively attached to one of said first end of said body or said first end of said post;

a compression member having internal threads complementary to said external threads on the second end of the body; and

an elastomeric band fitted inside a cavity formed at least in part by said compression member and said body;

wherein axial advancement of said compression member onto said connector body causes said elastomeric band to deform and seal against an outer layer of said cable radially outward of the barbed portion of the post.

13. The connector of claim 12 wherein said first end of the body partially covers a portion of said fastener member.

14. The connector of claim 13 wherein the first end of the body at least partially covering said fastener member is adapted to facilitate manual rotation of the body member independently of the rotation of said compression member.

15. The connector of claim 13 wherein the first end of the body defines a plurality of reveals permitting manual manipulation of the fastener member.

16. The connector of claim 12 wherein the nut has a textured surface to facilitate gripping and turning said nut.

17. The connector of claim 12 wherein the compression member further includes a non-cylindrical external surface adapted to facilitate manual rotation of said compression member about said body.

18. The connector of claim 17 wherein the non-cylindrical external surface of the compression member is elliptical in cross-section.

19. The connector of claim 12 wherein the compression member has an internal shoulder.

20. The connector of claim 19 wherein the internal shoulder of the compression member forms part of the cavity for receiving the elastomeric band.

21. The connector of claim 12 wherein said connector body, said compression member, and said fastener member are comprised of plastic, and said post is comprised of an electrically conductive material.

* * * * *

10 CV 64 MJD/JJG

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

John Mezzalingua Associates, Inc., d/b/a PPC

DEFENDANTS

Pace Electronics, Inc., d/b/a Pace International

(b) County of Residence of First Listed Plaintiff Onondaga
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Olmstead
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Michael E. Florey, Fish & Richardson P.C., 3200 RBC Plaza, 60 South 6th Street, Minneapolis MN 55402; (612) 335-5070

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury

PERSONAL INJURY
- ☐ 362 Personal Injury - Med. Malpractice
- ☐ 365 Personal Injury - Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 444 Welfare
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☐ 510 Motions to Vacate Sentence

Habeas Corpus:
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition

FORFEITURE/PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 630 Liquor Laws
- ☐ 640 R.R. & Truck
- ☐ 650 Airline Regs.
- ☐ 660 Occupational Safety/Health
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt.Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc. Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 463 Habeas Corpus - Alien Detainee
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☒ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 810 Selective Service
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 875 Customer Challenge 12 USC 3410
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 893 Environmental Matters
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900Appeal of Fee Determination Under Equal Access to Justice
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:
Infringement of U.S. Patent No. 7,118,416

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 1-7-2010

SIGNATURE OF ATTORNEY OF RECORD Michael E. Florey

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

SCANNED
JAN 07 2010
U.S. DISTRICT COURT MPLS

marketing and distributing of coaxial cable connectors, including those marketed under the "EX" branded series. PPC's EX connectors have been extensively advertised and sold throughout the United States.

16. Prior to Pace's infringing acts, PPC has continuously sold the EX connectors throughout the world.

17. The external appearance, or trade dress, of PPC's EX connectors is unique and distinctive ("EX Connector Trade Dress"). Exhibit B attached hereto includes an image of a PPC EX connector (bottom connector).

18. PPC has invested substantially in efforts to develop recognition and goodwill for its EX Connector Trade Dress among both PPC's direct customers and the consuming public generally. These efforts include, *inter alia*, substantial investment in design, advertising and distribution of products incorporating the EX Connector Trade Dress.

19. Through, *inter alia*, these efforts, the EX Connector Trade Dress has become a valuable asset to PPC, symbolizing its quality products and PPC's good will. Additionally, the EX Connector Trade Dress has become widely known in the minds of the consuming public and in the trade as identifying connectors which originate from PPC.

20. On information and belief, despite its knowledge of PPC's EX Connector Trade Dress, and the rights associated with it, Pace adopted, imitated, and used such trade dress in connection with infringing connectors distributed by Pace, including interstate distribution of Pace's MVP-RG6-U connector. An image of a Pace MVP-RG6-U connector is shown in Exhibit B (top connector).

21. Pace's use of PPC's EX Connector Trade Dress in connection with its own connectors is a false designation of origin, a false representation, wrongfully and falsely designates Pace's products as originating from or connected with PPC, and constitutes utilization of false descriptions and false representations in interstate commerce.

IV. FIRST CAUSE OF ACTION

Infringement of the '416 Patent

22. By this reference PPC realleges and incorporates the foregoing paragraphs as though fully set forth herein.

23. PPC alleges on information and belief that Pace has infringed and continues to infringe the '416 patent by making, using, selling, offering for sale within the United States, or importing into the United States products that embody one or more of the claims of the '416 patent, or by contributing to infringement, inducing others to infringe the '416 patent, or carrying out acts constituting infringement under 35 U.S.C. § 271(f). By way of example and not limitation, one such act of infringement is the importation, manufacture, use, sale and/or offer for sale of Pace's MVP-RG6-U connector.

24. PPC alleges, on information and belief, that unless and until enjoined by this Court, Pace will continue to infringe the '416 patent.

25. The conduct of Pace as set forth above gives rise to a claim for infringement of the '416 patent, pursuant to at least 35 U.S.C. §§ 271 and 281.

26. PPC alleges on information and belief that Pace will continue to infringe the '416 patent subsequent to receiving notice of the initiation of this action despite an objectively high likelihood that its actions constitute infringement, thereby making its actions both willful and deliberate.

27. By reason of the foregoing, PPC is entitled to injunctive and monetary relief against Pace, pursuant to 35 U.S.C. §§ 283, 284, and 285.

V. SECOND CAUSE OF ACTION

Federal Unfair Competition

28. By this reference PPC realleges and incorporates the foregoing paragraphs as though fully set forth herein.

29. Pace's use of PPC's EX Connector Trade Dress in its own products is deceptive and is likely to cause mistake and confusion regarding whether Pace's goods and services originate from PPC, or are sponsored or approved of by PPC.

30. Pace's use of PPC's EX Connector Trade Dress in its products is deceptive and is likely to cause mistake and confusion regarding whether Pace is affiliated, connected or associated with PPC.

31. By reason of at least the foregoing, Pace's use of PPC's EX Connector Trade Dress in its coaxial connectors, including, but not limited to, Pace's MVP-RG6-U connector, gives rise to a cause of action pursuant to Section 43(a)(1)(A) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(A).

32. Upon information and belief, Pace has infringed PPC's EX Connector Trade Dress and other intellectual property rights with the intent to cause confusion and mistake and to deceive both with respect to the origin, sponsorship and approval of its goods and services by PPC, and with respect to whether Pace is affiliated, connected or associated with PPC.

33. Upon information and belief, Pace has infringed PPC's EX Connector Trade Dress and other intellectual property rights with willful and deliberate disregard for the rights of PPC and the consuming public to be free from the deception and likelihood of confusion and mistake to which Pace's conduct gives rise.

34. By reason of Pace's infringement of PPC's EX Connector Trade Dress and other acts of unfair competition, PPC has suffered damages and irreparable harm.

35. By reason of the foregoing, PPC is entitled to monetary and injunctive relief pursuant to Sections 34-36 of the Lanham Act, 15 U.S.C. §§ 1116 - 1118, as more fully set forth below.

36. Pace's acts are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

37. Pace's violation has caused, and unless enjoined by this Court will continue to cause, irreparable damage and injury to PPC. By reason of Pace's infringement of PPC's trade

dress and other acts of unfair competition, PPC has suffered damages and irreparable harm. PPC has no adequate remedy at law.

38. By reason of the foregoing, PPC is entitled to monetary and injunctive relief pursuant to at least Sections 34-36 of the Lanham Act, 15 U.S.C. §§ 1116 - 1118, as more fully set forth hereinbelow.

VI. PRAYER FOR RELIEF

WHEREFORE, PPC prays for judgment against Pace as follows:

A. A judgment finding Pace liable for infringement of the '416 patent;

B. An Order of this Court pursuant to at least 35 U.S.C. § 283 permanently enjoining Pace, its agents and servants, and any and all parties acting in concert with any of them, from: directly or indirectly infringing in any manner the '416 patent, whether by making, using, selling, offering to sell, or importing into the United States any product falling within the scope of any of the claims of the '416 patent; engaging in acts constituting contributory infringement of any of the claims of the '416 patent; or inducing others to engage in any of the aforementioned acts or otherwise;

C. An Order of this Court pursuant to at least 35 U.S.C. § 283 directing Pace to destroy its entire stock of infringing products within the United States;

D. An award of damages to PPC, in an amount to be proven at trial, pursuant to at least 35 U.S.C. § 284;

E. Trebling of PPC's damages in view of the willful infringement by Pace, and the award of such trebled damages to PPC pursuant to at least 35 U.S.C. § 284;

F. An award to PPC of prejudgment interest, pursuant to at least 35 U.S.C. § 284;

G. An award to PPC of its costs in bringing this action, pursuant to at least 35 U.S.C. § 284, and Rule 54(d)(1) of the Federal Rules of Civil Procedure;

H. That this be declared an exceptional case, and that PPC be awarded its attorneys' fees and expenses, pursuant to at least 35 U.S.C. § 285;

I. An award of post-judgment interest, pursuant to at least 28 U.S.C. § 1961(a);

J. That this Court enter judgment that Pace has violated Section 43(a) of the Lanham Act and has engaged in common law unfair competition by utilizing PPC's EX Connector Trade Dress and has injured PPC's business and business reputation and good will by utilizing such trade dress.

K. That this Court enter judgment that Pace deliver up for destruction by this Court, or by authorized agents of PPC, all advertising and promotional materials, labels, cartons, brochures, catalogues, business stationary, calling cards, information sheets, posters, signs and any or all other printed or graphic materials of any type, including the plates, molds, or other means for producing the same, which bear or show the trade dress of Pace's Infringing Connectors, or any colorably similar variations or simulations thereof.

L. For a permanent injunction enjoining Pace, its officers, agents, servants, employees and attorneys, and those in active concert or participation with them, and Pace's successors and assigns from:

1. Further advertising, offering for sale, selling or distributing goods or services not originating with PPC and bearing or incorporating the EX Connector Trade Dress or any colorably similar variations or simulations thereof, or that is likely to be mistaken or confused with PPC's EX Connector Trade Dress or is likely to create the erroneous impression that Pace or Pace's products originate with PPC, are endorsed by PPC, are sponsored by PPC, or that Pace and its products and services are in any way connected with those of PPC;

2. Competing unfairly with PPC, as complained of in this Complaint.

M. That Pace be directed to file with this Court and serve on PPC within thirty days after the service of an injunction, a report in writing under oath, setting forth in detail the manner and form in which Pace has complied with the Court-ordered injunctions.

N. That this Court enter judgment that Pace has deliberately and intentionally carried on the activities in violation of Section 43(a) of the Lanham Act and constituting unfair competition complained of herein.

O. That Pace be required to account for and pay to PPC any and all profits derived by Pace, and all damages sustained by PPC, by reason of the activities in violation of Section 43(a) of the Lanham Act and unfair competition complained of in this Complaint, that those amounts be trebled pursuant to 15 U.S.C. § 1117.

P. That PPC have, and recover from Pace, PPC's reasonable attorneys fees pursuant to the provisions of Title 15 U.S.C. § 1117 because of the calculated and deliberate nature of the activities of Pace sought to be enjoined hereby, and additional reasons which makes this an exceptional case warranting such an award.

Q. That Pace be required to pay punitive damages to PPC.

R. That PPC be awarded its costs of this action.

S. For such other and further relief as the Court deems just, proper, and equitable.

VII. DEMAND FOR JURY

PPC demands TRIAL BY JURY of all causes so triable.

DATED: January 7, 2010

Respectfully Submitted,

By _____

Michael E. Florey (#214322)
David A. Gerasimow (#0389309)
FISH & RICHARDSON, P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, MN 55402
Telephone: 612-335-5070
Facsimile: 612-288-9696
florey@fr.com
gerasmiow@fr.com

Sterling A. Brennan*
C. J. Veverka*
WORKMAN NYDEGGER, P.C.
60 East South Temple
Salt Lake City, UT 84010
Telephone: 801-533-9800
Facsimile: 801-328-1707

*moving for *pro hac vice* admission

Attorneys for PPC and JOHN Mezzalingua Associates, Inc.